IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO.10625 of 2005

Between:

C.Leelamma, W/o C.Chandra Shekhar Reddy,
R/o Plot No.42, High Court Colony, Vanasthalipuram, Hyderabad.

...PETITIONER

AND

1. The Station House Officer, Markapuram Police station, Prakasham District.
2. The Superintendent of Police, Prakasham District.
3. The Director General of Police & Inspector General Police, Lakdikapool, Hyderabad.
4. The Home Secretary, Department of Home, Secretariat Buildings, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or orders more particularly one in the nature of writ of Habeas Corpus direct the respondents herein to produce the detenue namely C.Vineel, S/o C.Chandra Shekhar Reddy, aged about 27 years, Occ:Mechanical Engineer, r/o Plot No.42, High Court Colony, Vanasthalipuram, Hyderabad before this Hon'ble Court and record the statements of the detenue and set him free and basing on his

statement Hon'ble Court may be pleased to direct the respondents no.5 herein to punish the erring Police officials and award appropriate compensation to the detenues herein.

Counsel for the Petitioner: MR.V.RAGHUNATH

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following:

HON'BLE MR JUSTICE GODA RAGHURAM

And

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO.10625 of 2005

ORDER: (Per the Hon'ble Dr Justice G.Yethirajulu)

The petitioner alleged that the detenu by name C.Vineel was unlawfully detained by the respondents. Therefore, it is essential to issue a direction to the respondents to cause production of the detenu and to set him free on such production.

The Special Government Pleader representing the State filed a counter-affidavit on behalf of the first respondent, wherein it was mentioned that on 29.04.2005 at about 7.00 pm, the detenu was taken to custody in connection with Crime No.13 of 2005 registered for the offences punishable under Sections 307 read with 511 and 120-B of the Indian Penal Code, Section 25 of the Arms Act, Section 5 of the Explosive

Substances Act and Section 8 (1) of the A.P. Public Security Act of Veldurthi Police Station, Guntur District. He was initially produced before the Judicial Magistrate of First Class, Macherla at about 5.30 pm on 30.04.2005 at the residence of the learned Magistrate and on direction, he was again produced on 02.05.2005 and was remanded to judicial custody for a period of 15 days. In the light of the submissions made through the counter-affidavit, no further action is warranted in the matter.

The Writ Petition is accordingly dismissed.

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(GODA RAGHURAM, J)

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(G.YETHIRAJULU, J)

3rd May 2005

RRB

Copy To:

1. The Station House Officer, Markapuram Police station, Prakasham District.
2. The Superintendent of Police, Prakasham District.
3. The Director General of Police & Inspector General Police, Lakdikapool, Hyderabad.
4. The Home Secretary, Department of Home, Secretariat Buildings, Hyderabad.
5. The Superintendent, Central Prison, Rajahmundry, East Godavari District.

6. Two CCs to the Advocate General, High Court Buildings, Hyderabad (OUT).

7. Two CD copies.